



RCE  
IFW

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Request for Continued Examination (RCE) Transmittal		
Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/728,259
	Filing Date	December 4, 2003
	First Named Inventor	Keppel
	Group Art Unit	3739
	Examiner Name	Michael F. Peffley
	Attorney Docket Number	2878 (203-3441)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 3.

**1. Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☒ Consider the amendments/arguments in the Response previously filed on Oct. 2, 2006.
- ii. ☐ Other: \_\_\_\_\_
- b. ☐ Enclosed:
- i. ☐ Amendment/Reply- \_\_\_\_\_ pages.
- ii. ☐ Affidavit(s)/Declaration(s).
- iii. ☐ Information Disclosure Statement (IDS).
- vi. ☐ Other \_\_\_\_\_

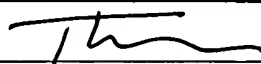
**2. Miscellaneous**

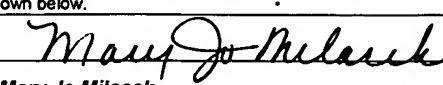
- a. ☐ Suspension of Action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months: Fee under 37 CFR 1.17(i) required)
- b. ☐ Notification of Extension of Time (for 1 month).
- c. ☒ United States Surgical return postcard.
- d. ☐ Other: \_\_\_\_\_

**3. Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. **21-0550**. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e).
- ii. ☐ Extension of Time fee (37 CFR 1.136 and 1.17).
- iii. ☐ Other: \_\_\_\_\_
- b. ☐ Check(s) in the amount(s) of \$ \_\_\_\_\_ enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature		Date	October 31, 2006
Name (Print/Type)	Thomas A. Beaton	Registration No. (Attorney/Agent)	46,543

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Va 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.			
Signature		Date	October 31, 2006
Name (Print/Type)	Mary Jo Milacek		

U.S. Patent and Trademark Office (PTO/SB/30 (09-04))  
When completed, SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE CALCULATION SHEET						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA	RATE	ADDITIONAL FEE
Basic Rate						\$790.00
Total Claims	21	-	21		x \$18 =	.00
Independent Claims	4	-	4		x \$88 =	.00
Total Fees						
Less 50% for Small Entity						
<b>TOTAL ADDITIONAL FEE FOR THIS RCE</b>						<b>\$790.00</b>